

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

GARY MONTGOMERY,

Plaintiff,

v.

KINYA JAMISON,

Defendant.

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) **NO. 3:19-cv-00747**
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ORDER

On February 27, 2023, Magistrate Judge Alistair E. Newbern issued a Report & Recommendation (“R&R”) (Doc. No. 83), in which she concluded that Defendant Kinya Jamison’s motion for summary judgment (Doc. No. 60) should be granted and Plaintiff Gary Montgomery’s motion for summary judgment (Doc. No. 51) should be denied.

As of March 13, 2023, no objections have been filed. Nevertheless, the Court has reviewed the R&R and agrees with the analysis and conclusion. Accordingly, the R&R is **ADOPTED** and Jamison’s motion for summary judgment is **GRANTED** and Montgomery’s motion for summary judgment is **DENIED**. The Clerk shall close this file.

Although this case is closed, the Court believes that it offers a valuable opportunity for leadership at the Davidson County Sheriff’s Department to review and improve its procedure regarding access to the ballot, especially the timely submission of an inmate’s absentee ballot to election officials because access to the ballot is a constitutional right. Accordingly, the Clerk shall serve a copy of this Order and the Magistrate Judge’s R&R (Doc. No. 83) on the Sheriff of Davidson County, Tennessee.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Waverly D. Crenshaw, Jr.", written in a cursive style.

WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE